

REMARKS

Reconsideration of this reissue application is respectfully requested. Claims 2-4, 8, 11, 12, and 14-16 are pending in this reissue application.

Claims 3, 4, and 8 have been amended to depend from claim 14 instead of claim 16. During the prior reexamination proceeding, claims 3, 4, and 8 were amended to depend from then pending claim 16, which was renumbered as claim 14 in the reexamination certificate. See the Amendments dated February 3, 1999 and May 20, 1999 submitted herewith as Exhibits A and B. Due to a PTO error, the reexamination certificate states that claims 3, 4, and 8 depend from claim 16 (rather than claim 14). The present amendment corrects this PTO error.

Claims 2-4, 8, 11, 12, and 14-16 have been rejected as being based upon a defective reissue declaration under 35 U.S.C. §251. The Examiner alleges that both of the reissue declarations filed in this case are defective because they do not state that Applicant is the sole inventor. Applicant submits herewith a substitute reissue declaration, stating that the Applicant is the *sole* inventor.

The Examiner further alleges that the amendments filed on January 10, 2002 and March 4, 2003 fail to comply with 37 CFR §1.173(b). The Examiner notes that the word "from" is missing in line 2 of each claim before "95." Claims 14 and 16 as recited in this amendment include the word "from" before "95."

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: November 18, 2003

Respectfully submitted,

By 

Jay. P. Lessler

Registration No.: 41,151

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys For Applicant

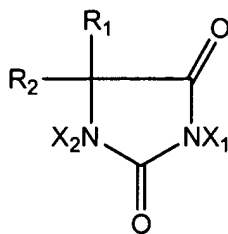
STATUS OF CLAIMS AND SUPPORT FOR CLAIMS CHANGES**PURSUANT TO 37 C.F.R. §1.173(c)**

2. The papermaking process of claim 14 wherein a mixture of the slimicide and the N-hydrogen compound is formed just prior to the addition to said circulating water slurry.

3. The papermaking process of claim 14 wherein the slimicide is chlorine gas or sodium hypochlorite.

4. The papermaking process of claim 14 wherein from 0.1 to 10 ppm of active slimicide (expressed as Cl₂) is maintained in the circulating water slurry.

8. The papermaking process of claim 14 wherein said slimicide is a halogenated hydantoin of the formula:



11. The papermaking process of claim 8 wherein the halogenated hydantoin contains bromochlorodimethylhydantoin.

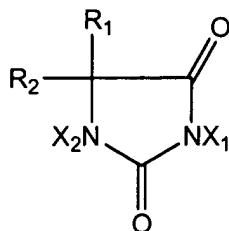
12. The papermaking process of claim 8 wherein the halogenated hydantoin is a mixture of dichlorodimethylhydantoin and dichloroethylmethylhydantoin.

14. In a process for making paper from pulp fiber wherein from 0.2 to 3 weight percent of organic matter comprising from 95 to 99 weight percent pulp fiber is maintained in a circulating water slurry in the presence of sizing, the improvement of performing said process in the presence of a slimicidally effective amount of an N-hydrogen compound and a slimicide in a molar ratio of from 0.1:1 to 10:1 in said circulating water slurry; wherein said N-hydrogen compound is p-toluenesulfonamide, dimethylhydantoin, methylethylhydantoin, cyanuric acid, succinimide, urea, 4,4-dimethyl-2-oxazolidinone, or glycouril and said slimicide is chlorine gas, bromine, bromine chloride, an alkali metal or alkaline earth metal hypohalite, a halogenated hydantoin, a halogenated cyanurate, or halogenated cyanuric acid and the amount of the N-hydrogen compound present in said circulating water slurry is sufficient to enhance the biocidal efficacy of the slimicide and reduce absorbable organic halogen (AOX) by-product formation, wherein the N-hydrogen compound is directly added to the slurry before or after the addition of the slimicide or with the slimicide in a mixture consisting essentially of the slimicide and the N-hydrogen compound.

15. The papermaking process of claim 14 wherein the slurry is at a pH of from about 5.0 to 5.5.

16. In a process for making paper from pulp fiber wherein from 0.2 to 3 weight percent of organic matter comprising from 95 to 99 weight percent pulp fiber is maintained in a circulating water slurry in the presence of sizing, the improvement of performing said process in the presence of a slimicidally effective amount of an N-hydrogen compound and a slimicide in a molar ratio of from 0.1:1 to 10:1 in said circulating water slurry; wherein said N-hydrogen compound is p-toluenesulfonamide, dimethylhydantoin, methylethylhydantoin, cyanuric acid, succinimide, urea,

4,4-dimethyl-2-oxazolidinone, or glycouril and said slimicide is a halogenated hydantoin of the formula



wherein R₁ and R₂ are independently selected from the group consisting of lower alkyl having 1 to 12 carbon atoms, wherein X₁ and X₂ are independently selected from the group consisting of bromine and chlorine, and the amount of the N-hydrogen compound present in said circulating water slurry is sufficient to enhance the biocidal efficacy of the slimicide and reduce absorbable organic halogen (AOX) by-product formation, wherein the N-hydrogen compound is directly added to the slurry before or after the addition of the slimicide or with the slimicide in a mixture consisting essentially of the slimicide and the N-hydrogen compound.

As discussed in the remarks section of this amendment, claims 3, 4, and 8 were amended during the prior reexamination proceeding to depend from claim 14 in the reexamination certificate (then pending claim 16), but due to a PTO error, the reexamination certificate states that these claims depend from claim 16. This amendment corrects the PTO error in the reexamination certificate.